



MEETING MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: The First,
Second, and Third Tuesday
of each month

Regular Meeting

County Courthouse,
Bridgeport, CA 93517

December 16, 2008

9:10 AM Meeting Called to Order by Chairwoman Bauer

Pledge of Allegiance led by Supervisor Farnetti

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

BOARD MEMBER REPORTS

Supervisor Reid reported on the following:

1. Last Tuesday, met with DNS disposal to discuss problems; came up with several solutions.
2. Attended the Forest Service open house in Memorial Hall about the road inventory.
3. Attended the Mono Basin RPAC last Wednesday. There was a presentation about the proposed well ordinance; people involved in the PUD think it is a good idea. The group was very complimentary about the playground equipment and the generator. The PUD needs information about the watering for the landscape. Also, there are problems with the water heater at the community center.
4. The second pot-luck staff luncheon in Mammoth was well attended. Received many comments about the County's pins, and how much employees appreciate them.
5. Last Thursday, had a CalTrans briefing regarding the High Point project in Topaz. CalTrans has studied the situation and they believe they can fix the curves without significant traffic delays or detours. They will install radar units at the curves, and will fine tune the project and take it to the community.
6. The negotiations with the Deputy Sheriff Association are progressing.
7. Last Friday, attended the Mono Basin RPAC affordable housing open house in Lee Vining.

Supervisor Hunt reported on the following:

1. December 10: Attended the First 5 Mono County Commission meeting; focused on strategic planning and looking at the future given shrinking budgets. A few people spoke about child care issues at the public hearing. Child dental issues are a concern; the Commission will look at a dental program. The commission will meet in February for an all-day planning session.
2. December 12: Attended the Eastern Sierra Conservancy meeting. There is still a lot of grant money available.
3. The PUC area code split is to be implemented next fall.
4. This Thursday will be the first flight into Mammoth Airport.
3. December 12: Attended the Eastern Sierra Transit Authority meeting. Elected a new chair and vice chair. Talked about policy and budget issues.
4. Had a phone conference yesterday with the Inyo Mono County Land Tenure and 395 Steering Committee. This group is bringing together many initiatives. The committee combines various projects and focuses on general planning issues. This should connect many different disciplines to assist decision-making agencies.
5. Canyon and Little Eagle runs at Mammoth Mountain Ski Area will be open by the weekend.
6. Stacey Powells (Mammoth Times) will be gone for a month due to a health issue; will keep the Board updated.

Supervisor Hazard reported on the following:

1. December 10: Participated in a conference call involving Mountain Meadows water; this was following up the discussion on the well ordinance at the Board's special meeting held in Chalfant last month. Worked out a strategy to proceed.
2. Attended the Tri-Valley Water District meeting; discussed the proposed well ordinance and received public input. The District is glad the Board did not approve a specific ordinance and instead will deal with issues individually.
3. December 11: Met with the paramedics negotiating team. Will brief the Board at a later time.
4. December 12: Attended the COG meeting. Despite Town shortfalls, they have budgetary plans and options. Air service begins this week in Mammoth. Received an update on the Verizon letter received from the CPUC; there is some confusion about enhancing the 911 line, so asked the CAO to follow up. Received an update from Susan Cash about the area code; the PUC did address the appeal regarding the area code split, and in the future, residents will be required to dial 10 digits rather than 7.
5. December 12: Held office hours in Chalfant. Was informed about a \$10,000 grant received from California Emerging Technology Fund for planning. Need to discuss internet issues with other agencies in order to form partnerships so service doesn't rely solely on residents.
6. December 15: Held office hours in Crowley. A couple of people asked about hiring procedures and contacting applicants.
7. Regarding check and benefit writing services through EBS, employees aren't getting payments in a timely manner. Will follow up and report later.

Supervisor Farnetti reported on the following:

1. Met with staff members and DNS disposal to discuss concerns. DNS complained about the capacity fee charged by the County. Evan Nikirk presented information about how the fee was determined.
2. On Friday, met with Tom Wallace to discuss the IMAAA program. The Board needs to go into the new agreement with a clear understanding.
3. There was an article in the Mammoth Times in which the Police Chief was quoted as saying that the County is the only entity that could have passed the anti-loitering ordinance. The Chief said he was misquoted and the Town can pass its own ordinance. The Sheriff can also pick up any school child who is loitering.

Chairwoman Bauer reported on the following:

1. Lines of credit from the County have been very important to helping stabilize ESTA. The organization has a plan to deal with the deficit and build reserves. The line of credit has to be renewed annually.
2. Attended the June Lake chamber meeting. It was a positive meeting for the community.
3. Attended the Disabled Sports event.
4. The employee potluck event in Mammoth was very successful.
5. Worked with Gooch regarding the Assessor's Office.
6. June Mountain will open on Friday.
7. Moving forward on the transit working paper.

COUNTY ADMINISTRATIVE OFFICE

1)

CAO Report regarding Board Assignments (David Wilbrecht)

RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

David Wilbrecht reported on the following:

1. The employee luncheons were successful; received positive comments. Will follow up with a process for employee recognition.
2. Assistant CAO interviews will be conducted on Wednesday and Thursday.
3. Attended the MAG meeting on Thursday; Jody Henning spoke about the status of the Assessor's Office; Frank Romero spoke about Mammoth Unified School District.
4. Working on employee negotiations.
5. The Town County liaison meeting is this Thursday; will be unable to attend. It should be a routine meeting.
6. Will be out of the office next week.
7. The Sierra Center Mall owner has offered three years of free rent to the County; he wants to fill the space. He will also do the necessary build out. There would be no back rent charges.

2)

APPROVAL OF MINUTES

No minutes to approve

Closed Session: 9:11 a.m.

Break: 10:10 a.m.

Reconvened: 10:17 a.m.

Break: 10:55 a.m.

Reconvened: 11:00 a.m.

Lunch: 11:45 a.m.

Reconvened: 12:50 p.m.

Break: 1:55 p.m.

Reconvened: 2:00 p.m.

Break: 3:37 p.m.

Reconvened: 3:45 p.m.

Closed Session: 5:35 p.m.

Adjourned: 6:20 p.m.

CLOSED SESSION

COUNTY COUNSEL

Additional Departments: Public Works

- 3a) Closed Session - Exposure to Litigation (**Allen Berrey, Assistant County Counsel; Evan Nikirk, Public Works Director**) - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. One case.

Additional Departments: Public Health; District Attorney

- 3b) Exposure to Litigation (**Mark Magit; Lynda Salcido; George Booth**) - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Facts and circumstances: Request from Americans for Safe Access that County implement medical marijuana card program pursuant to Health and Safety Code Section 11362.7 et seq.

HUMAN RESOURCES

- 4a) Labor Negotiations - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): David Wilbrecht, Marshall Rudolph, Brian Muir, Rick Scholl, & Robert Garret. Employee Organization(s): Mono County Deputy Sheriff's Association
- 4b) Labor negotiations - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): David Wilbrecht, Marshall Rudolph, Brian Muir, Mark Mikulicich & Robert Garret. Employee Organization(s): Mono County Paramedic Rescue Association

The Board had nothing to report from closed session.

DEPARTMENT REPORTS/EMERGING ISSUES

Lynda Roberts reported on the following:

1. Plan to transfer Registrar of Birth and Death Certificates to Director of Public Health. Both departments agree this change will be beneficial—Department of Public Health will have immediate access to data, and Clerk will be able to continue issuing passports (Department of State, Homeland Security, requires that passports not be issued by the same department issuing birth and death certificates). This action does not require Board action, but the Clerk will agendize the issue if the Board wants to discuss it. The

Board agreed this item does not need to be agendaized and the departments can proceed.

Rick McManis reported on the following:

1. Updated the Board about three laws effective January 1, 2009, related to operations of the building division: 1) Prior to issuance of a building permit, the owner/builder will have to complete a form stating they are in compliance with the law. The District Attorney has been informed of the new law. 2) There will be a small fee collected to be remitted back to the Building Standards Commission; the County will get 10% of the fee. 3) Included in the building standards, will be new "green" building codes; McManis will come to the Board at a later date to give a presentation about the green code. He will issue a press release to inform the public about the new laws, and will also have information available at the office.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

FINANCE

- 5a) Debit Card Services - Consider County entry into proposed amendment to the County's service provider agreement with Employee Benefit Specialists (EBS) to authorize EBS to provide debit card services for flexible spending accounts maintained by County Employees. Authorize the County Administrator to execute said amendment on behalf of the County.

M08-238 **Action:** Approve County entry into proposed contract amendment. Authorize County Administrator to sign said contract amendment, and attachment, on behalf of the County.
Farnetti/Hunt, 5-0

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK-RECORDER

- 6a) Wild Heritage Act - Letter from Peter Bardos regarding the Eastern Sierra and San Gabriel Wild Heritage Act.
- 6b) Paradise Fire Protection District - Letter from the Paradise Fire Protection District addressed to Governor Arnold Schwarzenegger, cc: Mono County Board of Supervisors, regarding reimbursement issues.

The Board acknowledged receipt of the correspondence.

Chairwoman Bauer commented on Item #6b: Paradise is having trouble getting reimbursed from Inyo; June Lake just got paid a month ago for the fire of 18 months ago. Supervisor Hazard: Mammoth Lakes is working with the state to resolve this problem; the Board should continue to monitor the issue.

PUBLIC WORKS

- 7a) Fancy Resolution - Kim E. Derr Retirement (**Evan Nikirk**) - Consider and potentially authorize Board signatures on a fancy resolution recognizing Kim E. Derr for his 29 years of dedicated service with the Mono County Department of Public Works. Provide any desired direction to staff.

Action: Present the retirement resolution.

Supervisor Hazard: Read the resolution and presented it to Kim Derr. The Board expressed their appreciation to Mr. Derr.

Kim Derr: It has been an honor working for Mono County. He was told when hired that he worked for the tax payers first and Mono County second; this always stuck in his mind. Working directly for the tax payers made the work worthwhile, knowing that they appreciated it. Mr. Derr expressed his appreciation to the Board.

COUNTY ADMINISTRATIVE OFFICE

- 8a) Retirement Resolution for Tom Wallace (**David Wilbrecht**) - Adopt and present a Fancy Resolution honoring the retirement of Tom Wallace and his years of service to Mono County.

Action: Present a resolution to Tom Wallace, in honor of his retirement, acknowledging more than 26 years of service to Mono County.

Supervisor Hunt: Read the resolution and presented it to Tom Wallace. The Board expressed their appreciation to Mr. Wallace.

Tom Wallace: It has been a privilege to work for Mono County because the County has its values in place—the County takes care of its employees, and is concerned about the interests and needs of the people who are served. Wallace thanked the Board for their support.

CLERK OF THE BOARD

- 9a) Antelope Valley Fire District Board Appointments (**Dave Robbins or Dick Padgett**) - The Antelope Valley Fire District has three positions to fill on their board. The AVFD is in the process of interviewing applicants and will have recommendations to make to the Board of Supervisors by the December 16th meeting.

- M08-239** **Action:** Appointments are made to fill three positions on the board of the Antelope Valley Fire District as follows: Mark Spencer (full term expiring in 2012); Kim Royall and Dick Peterson (partial terms expiring in 2010).
Reid/Farnetti, 5-0

Dick Padgett. Three vacancies currently exist. The AVFD board recommends that Mark Spencer fill the full term, expiring in 2012, and Kim Royall and Dick Peterson fill the partial terms, expiring in 2010. In addition, Padgett requested reappointment (his term expired November 30, 2008).

Marshall Rudolph: Under the Brown Act, Padgett's reappointment will need to be agendized for a future meeting since today's agenda stated that the Board would be considering three appointments; however, Padgett can continue to act until reappointed.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: Economic Development, Planning

- 10a) Public Hearing for the design phase of the Community Development Block Grants for FY 2009/10 (**Mary Booher**) - Conduct public hearing to discuss and receive public input regarding potential activities to be funded with CDBG money. Receive staff report. Provide any desired direction to staff.

Action: Receive public input regarding potential activities to be funded with CDBG money, and provide any desired direction to staff.

Mary Booher: The purpose of the hearing today is to create a list of projects for funding. CDBG funds are targeted to benefit specific income groups, eliminate slums and blight, and meet urgent community needs. In the past, CDBG funds have been used for improvements to the Courthouse and Lee Vining Community Center. Booher listed project ideas in her staff report as a starting point. Possible projects include Walker Community Center, housing, and geothermal projects. The Board does not need to make decisions today about specific projects. If projects are funded, programs need to start within the year of funding. The County can apply for one program and one project grant per fiscal year, along with one economic development grant and technical assistance grant.

Supervisor Farnetti: Suggested a child care project would benefit the Town of Mammoth Lakes. Booher: The Town is eligible for a share of the allocation and the County could partner with the Town. Child care is a project CDBG has funded throughout the state. Regarding the restriction concerning the percentage of second home owners in a community, this will impact a project such as a community center, but a child care center can be targeted to a specific income group rather than the entire community.

Supervisor Hazard: The schools in Chalfant have asked to partner with the County for an after-school program; day care is another potential program, as is the fire department. He also suggested using funds, if possible, to purchase homes that are in foreclosure to be used as affordable housing.

Chairwoman Bauer opened the public hearing.

Booher read a letter from Mammoth Lakes Housing about the application. MLH asked to have a

down payment assistance fund included for first-time homebuyers, as well as consideration of housing opportunities in Lee Vining. Mammoth Lakes Housing offered to work with the County and administer the funds. Booher said the funds are in a revolving fund and can be used for loans for housing issues. The CDBG process requires a second public hearing to be held at a community meeting, at which time projects can be added.

No one from the public spoke.

Chairwoman Bauer closed the public hearing.

Supervisor Reid: Supported funding for housing in Lee Vining. A lot of work has already been done and he would like to further the endeavor. He also supported a planning grant, and eventually program grant, for the Walker Community Center, keeping the needs assessment in mind. He has received several phone calls from residents in Antelope Valley supporting funding for the Walker Community Center.

Supervisor Hunt: Asked about the status of funding given the current economic situation, and asked for more information about the property assistance program. Booher: There may be reductions but funding seems to be stable, although it will become more competitive. Booher will bring more information to the Board at a future meeting about specific projects. Program grants will probably come back to the Board in February, and grants for planning and technical assistance will be brought back to the Board in June or July.

HEALTH DEPARTMENT

- 11a) CDC Public Health Emergency Preparedness, State General Fund Pandemic Influenza and HHS Hospital Preparedness Program Funding Fiscal Year 2008-2009 (**Dr. Richard Johnson**) - Consider and potentially approve County entry into proposed contract with California Department of Public Health pertaining to services as outlined in accordance with the Public Health Emergency Preparedness, State GF Pandemic Influenza and HHS Hospital Preparedness Cooperative Agreement Application, Work Plans, and Budgets, and authorize Lynda Salcido, Public Health Director, to execute said contract on behalf of the County. Receive staff report. Provide any desired direction to staff.

M08-240 Action: Approve County entry into proposed contract Agreement No. EPO 08-26 and (1) Authorize and approve the Chair's signature on the Non-Supplantation Certification Form (Exhibit E) for the CDC Public Health Emergency Preparedness, State General Fund (GF) Pandemic Influenza and HHS Hospital Preparedness Program Funding Fiscal Year 2008-2009 and (2) Authorize the Public Health Director to sign the CDC Public Health Emergency Preparedness, State General Fund (GF) Pandemic Influenza and HHS Hospital Preparedness Program Funding fiscal Year 2008-2009 Agreement, Certification Regarding Lobbying and any additional contract amendments.
Hunt/Hazard, 5-0

Richard Johnson: There have been many emergencies over the last year concerning public health. Locally, there was a viral outbreak in the High Sierra camps in Yosemite, and there were several rabies scares due to attacks by bobcats. Even though Mono County won't be a target of terrorism, the area will be a location for many who want to leave high-risk areas. Also,

tourists may bring illness into the community. Mono County also has issues concerning plague, hantavirus, and ticks. Grant monies will focus on new strains of flu, special populations (including tribal populations), and evacuation exercises. Staffing is stable, so his department has been able to accomplish a lot. The County does not have a pharmaceutical cash because it does not have the ability to maintain one. However, the County does have an extensive inventory of what the hospital and pharmacies have available. The grant workplan and budgets are before the Board today; Johnson asked the Board to approve entry into the grant. He also mentioned that there will be administrative changes at the state and federal levels, and funding for emergency preparedness will be decreasing.

FINANCE

- 12a) Space and Facilities Needs Assessment (**Brian Muir**) - Consider County entry into proposed contract with TRG Consulting pertaining to space and facilities needs assessment and authorize Chair to execute said contract on behalf of the County. Receive staff report. Provide any desired direction to staff.

M08-241 Action: Approve contract with TRG Consulting for space and facilities needs assessment in an amount not to exceed \$75,614.
Hazard/Farnetti, 5-0

Brian Muir: Sent out 18 RFQs and received two proposals. TRG's quote was the lowest; Muir has spoken with TRG to make sure they understood the proposal. They have proposed a schedule within County timelines, and the intention is to have their report available when the Board reviews the CIP. TRG has done a lot of work in jails, and has worked in 5 or 6 counties; they are qualified to do the work and Muir has received good recommendations. TRG has not yet started work for the County.

- 12b) Transient Occupancy Tax Appeal: Rainbow Ridge Realty & Reservations (**Brian Muir**) - Consider appeal by Connie Lear, owner/operator of Rainbow Ridge Realty & Reservations regarding Transient Occupancy Tax (TOT) remittances. Receive testimony, evidence, and staff report regarding same. Take such action, if any, as the Board deems appropriate. Provide any desired direction to staff.

Action: Authorize the Finance Director to establish a six month payment plan for unpaid TOT and penalties in the amount of \$9,941.14 at an interest rate to be set by the Finance Director as provided in County Code Section 3.28.120.

This item was pulled.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: County Counsel, Environmental Health, Public Works

- 13a) White Mountain Estates Water Update (**Stacey Simon, Scott Burns**) - Receive status report regarding White Mountain Estates water system integration. Provide any desired direction to staff.

Action: Provide any desired direction to staff.

Scott Burns: This item was requested by Supervisor Hazard. The Board approved a specific plan a year ago for the White Mountain Estates Subdivision. The issue of how water will be provided needs to be worked out before the subdivision map becomes final. The intent today is to open a discussion about the situation.

Supervisor Hazard: Since the Board approved the plan, the water district and developer have been making efforts to join the two water districts, but there is no agreement at this point. Hazard has been reluctant to get directly involved, but believes the County has a responsibility to encourage the parties to continue working toward a resolution. He wanted this item before the Board so they could help further the discussion.

Marshall Rudolph: There is a requirement in the planning regulations that a development connect to the existing water system if feasible. The issue of feasibility may come back to the Board at a future date.

Steve Kappos (on behalf of the developer): The issue seems to be at an impasse. He has suggested mediation, but this idea has been rejected by the water company. The development is offering to build expensive improvements and give them to the water company, along with 45 new customers, and is also offering a great deal of cash. The water board won't meet to talk about it unless they are paid, and the water company won't recognize the value of the improvements. Kappos summarized the areas in dispute:

- Issue with steel tanks versus fiberglass.
- A loop to the new subdivision; the water company wanted a loop to the existing subdivision.
- The developer proposed installing the fiberglass tanks if the water company installs the loop. The developer ended up offering to pay for tanks and ½ the loop.
- Cost to buy in to the existing system. A professional engineer analyzed the existing system and determined that if the developer supplies a new fiberglass tank and installs the south loop, he should only have to pay \$3,000 to buy in to the existing system.
- Issues regarding the age of the system and its value.
- Various issues about inspecting new components.
- Payment for negotiating directly with representatives of the water company.
- Billing old and new users separately so new users aren't paying for maintenance of the old system.
- Durability of components proposed to be used by the developer.

Greg James (White Mountain Mutual Water Company):

- The water company serves 45 members, and they are happy with the current water system.
- The water company is willing to work with the developer, but wants the developer to pay a portion of the cost on lots until they are sold.
- The water company wouldn't charge different rates to the new development.

- There is a difference of opinion about the amount of payment for using the current system.
- The members of the board believe a combined system would be beneficial.
- The board does not have a lot of money and decided they couldn't spend money on a mediator.

Bob Stark (developer): This process was started over five years ago, at which time he thought they had an agreement to combine the two systems. The original agreement, signed by the first developer, stated that new development would have rights to the water system without having to pay. The water board has refused to meet directly to work out the areas of dispute; instead they have a negotiator.

Dan Tothorow (water board negotiator): The water system is very good, and reliable, and they don't want to do anything that will degrade the system. The board has made what they believe are reasonable requirements:

- New system consistent and compatible with the current system.
- New system to meet American Waterworks standards.
- Components that are typically used in community water systems, and have an appropriate life cycle.

Board Discussion

- Supervisor Farnetti: It seems the developer is trying to accommodate the water district.
- Chairwoman Bauer: Asked if it was feasible for the developer to provide his own well. Stark: Has two wells he can use.
- Supervisor Hazard: It is to the benefit of both parties to join the system and this is the County's desire; however, the resolution of this issue needs to be negotiated between the two parties. But, the project in question is approved, and the developer can proceed. The Board can either direct the parties to negotiate by a date certain, direct the developer to build his project independent of the water company, or take the initiative and bring this issue to a conclusion.

Board members encouraged both sides to work out the issues. However, the Board directed staff to agendize the item for the third meeting in January at which time the Board will make a decision if the parties haven't resolved their disputes.

Additional Departments: Information Technology

13b)

Communication Infrastructure Assessment (**Chris Carmichael, Carmichael Business Technology**) - Receive presentation by Chris Carmichael, Carmichael Business Solutions regarding Mono County Communication Infrastructure Assessment. Provide any desired direction to staff.

Action: Provide any desired direction to staff.

Chris Carmichael: Assessed the communications infrastructure that exists throughout Mono County in order to create a list of equipment that exists throughout the County. Carmichael gave a PowerPoint presentation highlighting the report. There is a lot of infrastructure along 395, but it is sparse in the east side of the County. Mono County's infrastructure is behind the majority of counties in California. Carmichael outlined various technologies and options, and outlined the specific infrastructure in each community at this time. He outlined options for improving services. Carmichael answered questions from the Board.

Greg Newbry: In order to access California Emerging Technology funds, the County needed to prepare a preliminary plan (Carmichael's report) in order to generate a letter to request grant funding, which would allow for an in-depth analysis of government/private partnerships. Mono County attracts a big tourist base and these customers need technology services. The second phase of this process will be a more in-depth analysis that will also include Inyo and Kern counties since these counties are along the same corridor. Mono County needs to work as a team with these counties in order to maximize efforts.

The Board asked staff to move forward on this project.

Additional Departments: County Counsel

- 13c) **ESTA Vehicle Purchase Agreement (John Helm, ESTA Executive Director) -** Consider and potentially approve County entry into proposed agreement with Eastern Sierra Transit Authority pertaining to advancing \$275,000 for the purchase of vehicles funded through the State Transportation Improvement Program, and authorize Chair to execute said agreement on behalf of the County. Receive staff report. Provide any desired direction to staff.

M08-242 **Action:** Approve County entry into proposed agreement. Authorize Chair to sign said agreement on behalf of the County. Advance up to \$275,000 for vehicle purchases.
Hunt/Reid, 5-0

John Helm: Talked to the Board about the need for vehicle purchases. The State Transportation Improvement Program (STIP) helps fund vehicles for transit. Mono County was slated to receive \$275,000 STIP reimbursement funding this year; the reimbursement is usually received within 30-60 days. Helm requested that Mono County provide the short-term funding for the equipment; short term STIP funds are not in jeopardy. ESTA's long-term plan is to build a reserve in order to fund these types of acquisitions, but it will take a period of years. In order to take advantage of this current funding, the orders have to be placed before the end of the year. Helm answered the Board's questions. Chairwoman Bauer: The new vehicles would be used in Mono County, and would include commuter vans.

Brian Muir: The money will come from contingency and will earn interest. This should not create any problems for the County.

COUNTY COUNSEL

Additional Departments: Finance

- 14a) **Agreement regarding Juvenile Traffic Hearings (Marshall Rudolph and Brian Muir) -**Proposed contract regarding juvenile traffic hearing officer services to be provided by Mono County to the Mono County Courts during fiscal year 2008-09 and fiscal years thereafter.

M08-243 **Action:** Approve County entry into said contract. Authorize the Board Chair to sign the contract on behalf of the County.
Farnetti/Hazard, 5-0

Marshall Rudolph: This is an agreement for reimbursement for juvenile traffic hearing services provided by the County.

- 14b) June Lake Historical Society (**Marshall Rudolph**) - Consider proposed activities by County Counsel and associated expenses to assist the newly-formed June Lake Historical Society.

M08-244 Action: Authorize County Counsel to prepare and file the necessary paperwork to incorporate and obtain tax-exempt determination letters for the June Lake Historical Society. Approve expenditure from contingency funds in an amount not to exceed \$700 for miscellaneous expenses associated with said activities (e.g., various state and federal filing fees, and purchasing a corporations kit). Find that said activities and expenses promote public purposes of the County, including but not limited to the preservation of County history.
Reid/Farnetti, 5-0

Marshall Rudolph: June Lake residents previously requested money for the newly formed June Lake Historical Society. The Board deferred this item until the Society was more organized; the Board also directed County Counsel to work with the Society. The entity is not legally organized, which involves filing appropriate paperwork and paying fees. The Board needs to decide whether or not County Counsel should proceed.

Dan Roberts: There is interest in the community for organizing this historical society, and former residents are interested in helping. June Lake is a unique place because it is an original resort town; its roots are in the hydroelectric project and not mining. The group needs help in order to proceed; however, they are drafting bylaws and establishing a dues structure.

Board Discussion

- Chairwoman Bauer: Supported the idea but said this scope of work has not been done for other organizations, and staff time is limited. She suggested that support for historical societies be consistent. The Society should come back to the Board with a budget and a plan, including hiring a private attorney to do the work.
- Supervisor Reid: Would like to see a historical society in every community, and \$700 is a small amount to help start this process in June Lake. This will take staff time, but County Counsel seems to believe he can fit it in to the work schedule; however, he should let the Board know at a future meeting whether or not his work load can accommodate this project.
- Supervisor Farnetti: The Board has supported other historical societies, but he would like to see more buy-in from the community.
- Supervisor Hazard: Supported the project and the request for \$700, but did not want this to negatively impact staff time; County Counsel should only work on this as he has time. Or, the Board can approve more funding so the Society can hire an attorney to set up the organization.
- Supervisor Hunt: Supported the project and concurred that this has to be supported by the community.

David Wilbrecht: Suggested the Society come back to the County at the mid-year budget review with a plan to hire an attorney since County Counsel's services are needed in-house.

PUBLIC WORKS

- 15a) Contract Change Order for the Benton & Chalfant Landfill Closure Construction (**Evan Nikirk**) - Receive staff report regarding a proposed contract change order for additional work encountered during closure construction at the Chalfant Landfill. Consider and potentially authorize said change order. Provide any desired direction to staff.

M08-245 **Action:** 1. Find that a) the additional work resulted from unexpected subsurface conditions; b) the nature of the work is within the original scope of work; c) a project completion deadline has been established in a Notice and Order issued by the State; and, d) competitive bidding for the additional work would not have produced an economic advantage and would have been impractical. 2. Approve a project budget limit not to exceed \$545,591.42 and authorize the Public Works Director to execute a contract change order in the amount of \$127,878.15.

Hazard/Farnetti, 5-0

Evan Nikirk: In excavating the barrow pit to cover the landfill, the contractor encountered waste. This waste needs to be removed in order to continue the project. Public Works determined that it would be in the County's best interest to use the current contractor rather than put the job out for bid. Nikirk reviewed the costs of the work and everything is in order. The cost will be paid from the enterprise fund; there is sufficient funding to cover the cost.

- 15b) Review of Snow Removal Policies and Priorities (**Jeff Walters**) - Receive staff report regarding current snow removal policies, procedures, and priorities. Provide direction to staff regarding any modifications to said policies, procedures, and priorities. Consider and potentially adopt proposed resolution.

R08-71 **Action:** Adopt **Resolution R08-71**, "A Resolution of the Mono County Board of Supervisors Re-Establishing Snow Removal Policies, Procedures, and Priorities for County-Maintained Roads".

Hazard/Reid, 5-0

Jeff Walters: Outlined the priorities for snow removal according to classification of roads. There are no changes to the priorities and procedures except for inclusion of Walters' position; also, two roads have been added. Otherwise, last year's removal policies and procedures stay the same. Walters asked the Board to adopt the proposed resolution. Regarding the discussion he had with the Town about plowing the airport road, the road will remain as a class two. Public Works will plow first thing in the morning around 7:00 a.m., again at Noon, and again in the afternoon, around 3:00 p.m. If the number of flights increases, the priority may change. Regarding communication between Public Works and the Sheriff's Department, Walters has spoken with the Sheriff about communication needs prior to significant storm events.

Supervisor Bauer: Wanted to ensure that people in assessment districts will have a higher level of service.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: Social Services

- 16a) Implementation of New Senior Services Program (**Tom Wallace, Ed Zylman and Mary Booher**) - Consideration of proposed budget, allocation of positions and preliminary budget for delivery of IMAAA senior services by Mono County
- M08-246** **Action:** 1) Approve a contract with Inyo Mono Area Agency on Aging (IMAAA) for delivery of senior services. 2) Allocate six new positions in the Social Services Department as follows:
- a. One Senior Center Coordinator (1.0 FTE)
 - b. One Assistant Senior Center Coordinator (0.20 FTE)
 - c. One Senior Center Cook (0.50 FTE)
 - d. Four Senior Drivers (hourly, total 1.0 FTE)
 - e. One Homemaker (0.20 FTE)
- 3) Direct Finance Director to work with staff on the budget, with a maximum General Fund contribution of \$100,000
- Hazard/Hunt, 5-0**

Tom Wallace: Today's action is to consider contracting directly with IMAAA for service delivery in Mono County. In order to implement this plan, the Board needs to allocate positions and provide direction about a budget. Wallace summarized the situation:

- He first addressed this issue with the Board two years ago. Since then he has been reviewing the service-delivery problems, and made three findings: 1) There has been a trend of increasingly severe budget shortfalls, and Inyo County has decreased its administrative staff which has negatively impacted Mono County, specifically in Walker; 2) It will take more money from the General Fund to maintain the current service levels; 3) The home-based services have declined and approached zero, and waiting lists are becoming larger in Inyo County.
- Mono County gets 16% of budgeted services for 32% of the senior population in the region, which is about half of what they County is entitled to under the agreement.
- Over the last two years, Mono County has been moving toward a contract that would allow the County to supervise and deliver its own services, and has been looking for support from a consultant to help restructure IMAAA so it can become sustainable with the given resources. A contract with the County and an RFP for consulting services have been approved by the IMAAA board.
- The contract does not solve the financial problems, but will bring more revenue into Mono County to cover the costs.
- The program will be housed in the Social Services Department, and Social Services allocations can offset some of the staff costs.
- Wallace outlined the details of the contract and the implementation plan.

Ed Zylman: Outlined the advantages of bringing the program into the Social Services Department since the IMAAA program is similar to the current Social Services adult program:

- The program keeps elderly and frail adults in their homes.
- "Homemakers" assist with cleaning, cooking, shopping, and medical transportation.
- A volunteer base for Red Cross can be used for both programs.
- The IMAAA program can utilize the existing cook.
- Social Services can use their funding stream to help blend the two adult programs.

Wallace reviewed the proposed budget in detail. The subsidy from the General Fund for six months will be approximately \$100,000; a continued contribution from the General Fund is a policy question the Board will have to consider. The program can use social service realignment funding to complete the budget and minimize impact to the General Fund going forward.

Board Discussion

- Supervisor Farnetti: Even with Social Services funding there will be a general fund subsidy. He expressed concern about the issue of future funding. Zylman: Believes he can lessen the impact on the General Fund by maximizing state and federal funding; however, he will need a year to really understand the actual costs.
- Supervisor Reid: Outlined the history of deficiencies in the program under the current administration. There are many unknowns if the Board approves this contract, but it will allow six months to evaluate the program and the County will control its own program. There is a need to expand senior services throughout the County.
- Supervisor Hazard: Part of the purpose of today's discussion is to inform the entire Board about the impacts to Mono County's budget before moving forward with IMAAA.
- Supervisor Hunt: Part of the County's function is to support these kinds of programs; he supported the proposed action.
- Chairwoman Bauer: Agreed to support this for six months, but the program needs to become more global.

Claudia Bonnet: A year ago the program was appalling. Since her employment, she has requested assistance from IMAAA, without any support from them. The improvements have only occurred because of the County's intervention. She thanked the Board for their support.

HUMAN RESOURCES

17a) Management Compensation Policy Amendment (**Robert Garret**) - A proposed resolution updating and amending the County Policy regarding the compensation of management level officers and at-will employees.

R08-72 **Action:** Adopt **Resolution R08-72**, "A Resolution of the Mono County Board of Supervisors updating and amending the County Policy regarding the compensation of management level officers and at-will employees".
Hunt/Farnetti, 5-0

Robert Garret: This item deals with revisions to the management compensation policy. Garret reviewed the various factors included in the compensation profile. The policy allows for modifications as needed. He asked the Board to ratify the update.

17b) 2009 Salary Adjust - Mono County Public Employees (**Robert Garret**) - Consider and potentially adopt proposed resolution A Resolution of the Mono County Board of Supervisors Establishing and Adjusting the 2009 Base Compensation for the Mono County Public Employees (Local 39 - Operating Engineers) Bargaining Group. Receive staff report. Provide any desired direction to staff.

R08-73 **Action:** Adopt **Resolution R08-73**, "A Resolution of the Mono County Board of Supervisors Establishing and Adjusting the 2009 Base Compensation for the

Mono County Public Employees (Local 39 - Operating Engineers) Bargaining Group”.

Farnetti/Hazard, 5-0

Robert Garret: This resolution adopts salary adjustments for the MCPE bargaining group effective January 1st. This is a survey year for the group; since there is a two-year lag, the period covered was prior to the current economic situation. The process was a thorough meet-and-confer and meets the requirements of the collective bargaining agreement. This is the third year of a five-year contract.

Supervisor Farnetti: Asked which fund will cover the un-budgeted increase. Brian Muir: This will be a mid-year review issue; some funding will come out of contingency.

- 17c) Deputy Probation Officers Pay Adjustment (**Robert Garret**) - Consider and potentially adopt proposed resolution A Resolution of the Mono County Board of Supervisors Establishing and Adjusting the 2009 Base Compensation For The Mono County Deputy Probations Unit (Local 39 - Operating Engineers) Bargaining Group. Receive staff report. Provide any desired direction to staff.

R08-74 **Action:** Adopt **Resolution R08-74**, “A Resolution of the Mono County Board of Supervisors Establishing and Adjusting the 2009 Base Compensation For The Mono County Deputy Probations Unit (Local 39 - Operating Engineers) Bargaining Group”.
Hazard/Reid, 5-0

Robert Garret: This is not a survey year. The adjustment was set by the Bureau of Labor Statistics, September 2007-September 2008; this index number is 4.3%. This group of employees is also represented by Local 39, and Local 39 agreed with the index. This is the third year of a five-year contract.

- 17d) 2009 Management Pay Adjustment (**Robert Garret**) - Consider and potentially adopt proposed resolution A Resolution of the Mono County Board of Supervisors Establishing and Adjusting the 2009 Base Compensation Of Certain Officers and Employees Through the Implementation of the County's Management Compensation Policy and Performance Review of the County Administrative Officer and the County Counsel, And Making Certain Findings Pursuant to Said Policy Regarding the Assessor's Salary, and Repealing Resolution R07-86 to the Extent it is Inconsistent Therewith. Receive staff report. Provide any desired direction to staff.

R08-75 **Action:** Adopt **Resolution R08-75**, “A Resolution of the Mono County Board of Supervisors Establishing and Adjusting the 2009 Base Compensation Of Certain Officers and Employees Through the Implementation of the County's Management Compensation Policy and Performance Review of the County Administrative Officer and the County Counsel, And Making Certain Findings Pursuant to Said Policy Regarding the Assessor's Salary, and Repealing

Resolution R07-86 to the Extent it is Inconsistent Therewith.”
Hunt/Hazard, 5-0

Robert Garret: This item includes all of the employees covered by the management compensation policy, the County Counsel, and the CAO. This is a non-survey year, so the consumer price index is 4.3%. However, last year, the Assessor's salary was frozen by the Board due to issues with the Assessor at that time. If adopted, the Board will rectify the penalty; the difference will be an additional 2.3% for the Assessor.

Supervisor Reid: The present Assessor should not be penalized for the past Assessor's action.

ADJOURN: 6:20 p.m.

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